

ATTORNEY DOCKET NO. Travel/SCH
Serial No. 09/514,053

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested.

Initially, upon reconsideration, a number of the current claims were canceled in order to obviate the rejections thereto. Specifically, claims 1, 4, 6 and 7 are canceled herewith. This should obviate the rejections to those claims.

Claim 8 is amended herewith into independent form. It is respectfully suggested that the amendment to claim 8 does not raise new issues, since this is just an amendment into independent form.

The rejection states that claim 8 is made obvious by the "Trip" software disclosed in the DeLorme Patent which enables determining the quickest, shortest, scenic route and so forth. However, note that what is selected in DeLorme is not at all the same thing as the "how much the trip deviates from an optimum route" as defined by claim 8.

DeLorme teaches that the user can set parameters to select whether they want the optimal route, a quickest route, shortest route, scenic or the like. What they cannot see, and what is not taught by DeLorme, however, is anything about how much the trip deviates compared with an optimum route from the starting area to the ending area. In fact, this would not make any sense in the context of the DeLorme disclosure.

DeLorme was intended to be used by a navigation system, such as a GPS system. If the user wants the optimum route, then they enter the optimum route and they get the optimum route. It would make no sense for the system to give any

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information about how much the trip deviates compared with the optimum route; in fact, they always get an output with the optimum route.

The present system is different. One aspect of the present system is its ability to use it to obtain cheaper airfares by taking a more out-of-the-way or difficult route. It makes sense in a situation like this to be able to provide information about how much the trip deviates from the optimum route, either miles; time, or the like. In contrast, DeLorme calculates a route that the user will take, and instructs the user how to drive that route. It makes no sense to compare the calculated route with the optimum route. If there was a better route, that would simply be displayed and used. Admittedly the user could select a scenic route; however, nowhere is there any teaching or suggestion of comparing deviations between the two routes. Even the scenic route is "optimal" in the sense that it is the best route for taking the scenic way. Quite simply, the suggested interpretation just does not make sense when taken in this context.

Therefore, for these reasons, there is no teaching or suggestion of determining the amount of deviation from the optimum route. For this reason, amended claim 8 should be additionally allowable.

Claim 12 was also rejected based on DeLorme in view of Smith, with the Examiner's rejection reasoning that Smith's teaching of hyperlinks with picture icons could be incorporated into DeLorme. Even assuming this to be the case, however, still it is respectfully suggested that the important limitation of claim 12, whereby the movable element is "variable to change a number of said airports which are included in said area" is not in any way taught or suggested by any fair combination of DeLorme and Smith. In each of DeLorme and Smith, the user selects their beginning and end

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POINT, emphasis added. In fact, this much is admitted in the rejection page 5 at the end of the first paragraph, where the rejection states that the user can input a particular airline or airport referring to column 19 lines 4-80. Nowhere is there any teaching or suggestion of inputting multiple airports in ANY form, much less actuating multiple airports by selecting areas of a hyperlinked image. This is entirely new within the present claims, and is in no way taught or suggested by the cited prior art.

Referring to claim 14, the rejection attempts to interpret the quickest, shortest, scenic routes etc. as somehow suggesting the matrix of flights. While it is contended that this is an unreasonable interpretation, claim 14 has been further amended to specify that there is more than one airport within at least one of the beginning or end points. Nothing in the hypothetical combination of prior art teaches multiple airports in this way.

For claim 15, the reasons given above are believed appropriate. In DeLorme, one always obtains the optimal route as requested. There is no teaching or suggestion of displaying the actual route relative to any other route.

Finally, claim 18 specifies a binding offer for any of the multiple routes between any of the beginning point and any of the end points. The undersigned firmly believes that nothing in DeLorme teaches anything about a binding offer. However, even assuming that DeLorme did suggest a binding offer, it certainly does not suggest plural airline routes between any of the begin points and any of the end points, where there are more than one airport within at least one of the beginning points or end points.

Claims 2, 3, 5 and 10 stand rejected over DeLorme in view of Smith in view of official notice. The rejection apparently takes official notice of the fact that it is known to

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change in size an area. The undersigned believes that this Official Notice is taken out of context. Even assuming that this is the case, however, what is not known, and what is defined by claim 2, is to define options for different locations within the changed in size area. Nowhere does the cited prior art teach or suggest changing in size an area for beginning and end points, and enabling calculation of travel information between different locations within those points. Claim 2 should hence be allowable along with the claims which depend therefrom; none of which teach or suggest this feature.

Claim 10, which depends from claim 2, should be allowable on its own merits for these additional reasons. Claim 10 makes it even more clear that the starting area and the ending area includes information about the airports and the changing in size adds or subtracts airports within the area. Whatever may be known in the official notice, it certainly is not known to change in size an area on a computer screen to add or subtract airports within that area, as now claimed. Therefore, claim 10 should be additionally allowable.

Claims 6, 7, and 13 stand rejected over DeLorme in view of Smith and Malamud. Claims 6 and 7 are canceled. Claim 13 should be allowable for reasons stated above as well as on their own merits.

Claims 11 and 17 are rejected over DeLorme in view of Smith and in view of Sehr. Each of these claims, however, should be allowable for reasons stated above with respect to the respected independent claim from which it depends.

Claims 19-40 are canceled here with in favor of a divisional application which will be filed in due course.

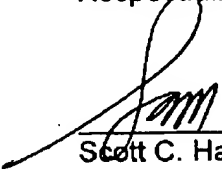
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In view of the above amendments and remarks, therefore, all the claims should
be in condition for allowance. A formal notice to that effect is respectfully solicited.

Please charge any fees due in connection with this response to Deposit Account
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Respectfully submitted,

Date: 2/2/04



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